

ORDERED.



Dated: March 29, 2011

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A handwritten signature in black ink, appearing to read "Eileen W. Hollowell", is written over a horizontal line.

EILEEN W. HOLLOWELL  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA TUCSON

IN RE:	Adversary No: 11-ap-00058-EWH
ANTHONY TARANTOLA, DEBTOR	Case No: 09-9703-TUC-EWH
<hr/>	<b>ORDER AVOIDING SECONDARY LIEN ON REAL ESTATE</b>
ANTHONY TARANTOLA, PLAINTIFF	
VS.	
JP MORGAN CHASE BANK NA, formerly known as BANK ONE, N.A.,	Chapter 13
DEFENDANT	

ON THIS day, came before this Court Debtor's Complaint to Avoid Defendant's Secondary Lien on Real Estate, complaining against Defendant, JP MORGAN CHASE BANK NA, formerly known as BANK ONE, N.A., and this Court finds that the Clerk has entered Default against Defendant. This Order pertains to the real estate that is "Debtor's Residence", or the "Property," which Debtor has claimed as their exempt real property homestead, described as follows:

LOT 328 OF BEL AIR RANCH ESTATES ACCORDING TO THE MAP  
RECORDED IN BOOK 22 OF MAPS PAGE 57 RECORDS OF PIMA COUNTY  
ARIZONA, OR AS MORE COMMONLY KNOWN AS 11201 E HASH KNIFE  
CIRCLE 85749

The Secondary Deed of Trust Deed of Trust to which this proceeding pertains was

1 recorded April 18, 2003 at Pima County Recorder Docket 12032, page 712. Defendant filed  
2 a Proof of Claim purportedly secured by the Secondary Deed of Trust to which this action  
3 pertains. The Defendant having failed to file timely opposition to Debtor's Complaint, the  
4 court hereby ORDERS as follows:

- 5 (1) For purposes of Debtor's Chapter 13 plan only, the Lien is valued at zero. The  
6 Secondary Lienholder does not have a secured claim and the Lien may not be  
7 enforced, pursuant to 11 U.S.C. §§ 506, 1322(b)(2) and 1327.
- 8 (2) This order shall become part of Debtor's confirmed Chapter 13 Plan.
- 9 (3) Upon entry of a discharge in Debtor's Chapter 13 case, the Lien shall be voided for  
10 all purposes and, upon application by Debtor, the Court will enter an appropriate  
11 form of judgment voiding the Lien.
- 12 (4) If Debtor's Chapter 13 case is dismissed or converted to Chapter 7 before Debtor  
13 obtains a discharge, this order shall cease to be effective and the Lien shall be  
14 retained to the extent recognized by applicable non-bankruptcy law and, upon  
15 application by Lienholder, the Court will enter an appropriate form of order restoring  
16 the Lien.
- 17 (5) Except as provided by separate, subsequent order of this Court, the Lien may not  
18 be enforced so long as this order remains in effect.

19 Dated and electronically signed above.

20  
21 Entry requested:

22 /s/ Ronald Ryan  
23 Ronald Ryan  
24 Attorney for Debtor and Plaintiff

25 The above signature confirms that a copy of this proposed for of Judgment along with a  
26 copy of the Motion for Entry of Default Judgment was mailed to:  
27 C T Corporation System 2394 E Camelback Rd Phoenix AZ 85016, Statutory Agent for JP  
28 Morgan Chase Bank NA, on March 28, 2011.

United States Bankruptcy Court  
District of Arizona

TARANTOLA,  
Plaintiff

Adv. Proc. No. 11-00058-EWH

JP MORGAN CHASE BANK NA, formerly known,  
Defendant

**CERTIFICATE OF NOTICE**

District/off: 0970-4

User: granillob  
Form ID: pdf005

Page 1 of 1  
Total Noticed: 3

Date Rcvd: Mar 30, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on  
Apr 01, 2011.

pla +ANTHONY TARANTOLA, 11201 EAST HASHKNIFE CIRCLE, TUCSON, AZ 85749-8105  
dft +JP MORGAN CHASE BANK NA, formerly known as BANK ON, THROUGH STATUTORY AGENT,  
C T Corporation System, 2394 E Camelback Rd, Phoenix, AZ 85016-3429

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

ust +E-mail/Text: ustpreregion14.px.ecf@usdoj.gov Mar 30 2011 23:21:45 U.S. TRUSTEE,  
OFFICE OF THE U.S. TRUSTEE, 230 NORTH FIRST AVENUE, SUITE 204, PHOENIX, AZ 85003-1725  
TOTAL: 1

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 01, 2011

Signature:

